THE HONOURABLE SRI JUSTICE R. SUBHASH REDDY

W.P. No.2167 of 2006

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Date: 06-02-2006

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Between:

B. Devaraju, S/o. Late B. Daveed,

Aged 62 years,

Occ: Retd., Section Supervisor (Officiating)

(BSNL), O/o. GMTD, Anantapur,

R/o. 1-4-400, HLC Colony Extension,

Anantapur District - 515004. … Petitioner

And

The General Manager (TELECOM) (BSNL)

Anantapur,

Anantapur District and others. … Respondents

ORDER:

The petitioner, who was working as Senior Telecom Operating Assistant in Bharat Sanchar Nigam Limited, filed this writ petition for issuance of a *Writ* of *Mandamus* to declare the action of the respondents in not extending the benefit of judgment dated 09-08-2000 rendered by the Central Administrative Tribunal, Hyderabad Bench in O.A.No.1966 of 1999 as confirmed by this Court in W.P.No.14744 of 2001 on 16.10.2003.

Admittedly, the petitioner was working as Senior Telecom Operating Assistant in Bharat Sanchar Nigam Limited. The petitioner is claiming the benefit of the order passed in O.A.No.1966 of 1999 passed by the Central Administrative Tribunal, Hyderabad Bench, on 9.8.2000, whereby the Tribunal set aside the instructions contained in the letter dated: 20.4.1999 so far as they create discrimination between the two categories of Phone Mechanics and directed the applicants therein to be placed in the scale of pay of Rs.4000-6000/- in accordance with the rules, after they complete the necessary qualifying years of service in the restructured cadre of Phone Mechanics. The said order of the Tribunal was also confirmed by this Court and is applicable for the cadre employees, whose cadre was restructured from OTBP/BCR officials to Phone Mechanics, Telecom Assistants, and Senior Telecom Operating Assistants. Admittedly, the petitioner was not an applicant in the said O.A. before the Central Administrative Tribunal, and, straight away approached this Court to extend the benefit of the directions issued in O.A.No.1966 of 1999. The said directions were issued having regard to the posts which the applicants therein were holding in specific. The petitioner retired from service on 31.8.2004 and whether he worked in the same cadres as the applicants in O.A.No.1966 of 1999 worked or not cannot be gone into by this Court in this writ

petition. Therefore, the petitioner cannot seek the benefit of the directions issued in O.A.No.1966 of 1999 by the Central Administrative Tribunal. In any event, the petitioner retired from service as early as on 31.8.2004 and cannot seek relief at this point of time.

For the reasons stated above, the writ petition is devoid of any merits and is accordingly dismissed. No costs.

6.2.2006 _____

(R.SUBHASH REDDY, J)

LSK/VR